

### EXAMINER'S AMENDMENT

Claims 28, 42-52 and 55-60 are allowed.

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Michael B. Martin on 28 October 2008.

The application has been amended as follows:

The amendments to the claims begin on page 3 of this examiner's amendment.

Claims 28 and 59 are amended by this examiner's amendment. Only claims 28 and 59 are included herein. **The remaining claims of the claim list may be found in applicants' amendment filed 23 October 2008.**

*Begin amendment to claims*

*Amend claim 28 as follows:*

28. (currently amended) A demulsifier composition comprising oligo- and polymeric compounds, wherein the oligo- and polymeric compounds are ~~selected from the group consisting of compounds~~ prepared by

1) reaction of a) an amine having only two reactive amino hydrogens, b) an aliphatic or cycloaliphatic epoxidized olefin having two epoxide groups, and c) a second amine monomer having only two reactive amino hydrogens and a tertiary amine group;

2) optional subsequent reaction of epoxy groups of the oligo- and polymeric reaction products with d) an amine capping monomer having one or two reactive amino hydrogens; and [[:]]

3) subsequent reaction of amine groups of the oligo- and polymeric reaction products with an N-alkylating agent selected from epichlorohydrin or epibromohydrin reacted polyalkoxide compounds which comprise an oxyalkylene group selected from polyethoxy groups and polypropoxy groups in a propoxy to ethoxy ratio of from about 9 to 1 to about 1 to 9 and methoxy-capped polyethylene oxide.

*Amend claim 59 by changing the status Identifier as follows:*

59. (Currently amended) The method of claim 51 further comprising the step of protonating the polymeric reaction product after steps a) and b) with an acid.

*End claim amendments*

***Reasons for allowance***

2. The following is an examiner's statement of reasons for allowance: the prior art does not disclose or fairly suggest the demulsifiers claimed or the methods claimed. The prior art does not disclose or adequately suggest the claimed polymers including having demulsification activity formed employing the claimed reactants and having been N-alkylated as claimed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel S. Metzmaier whose telephone number is (571) 272-1089. The examiner can normally be reached on 9:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David W. Wu can be reached on (571) 272-1114. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

**/Daniel S. Metzmaier/  
Primary Examiner, Art Unit 1796**

DSM  
10/9/2008